

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
GREENVILLE DIVISION**

JOHN COX

PLAINTIFF

VS.

CIVIL ACTION NO.: 4:16-CV-192- DMB-JMV

**SUNFLOWER COUNTY CONSOLIDATED
SCHOOL DISTRICT**

DEFENDANT

ORDER

Plaintiff seeks an order allowing inadvertently filed discovery responses to be sealed. [20] Motion to Seal. Plaintiff intended to file with the Court a Notice of Service of Discovery, but Plaintiff's counsel's office mistakenly filed the Responses to discovery along with accompanying documents, which included Plaintiff's tax returns and other personal information. *See* [18]. The court has been informed that counsel for Defendant has no objection to sealing of the discovery responses filed at [18]

Local Rule 79(b) specifies that "any order sealing a document must include particularized findings demonstrating that sealing is supported by clear and compelling reasons and is narrowly tailored to serve those reasons." L.U. Civ. R. 79(b). To determine whether to allow the sealing of a requested document, "the court must balance the public's common law right of access against the interests favoring nondisclosure." *SEC v. Van Waeyenberghe*, 990 F.2d 845, 848 (5th Cir. 1993). Upon weighing the competing interests, the undersigned finds that Plaintiff has provided clear and compelling reasons for sealing the discovery responses that were inadvertently filed on the docket.

The discovery responses contain Plaintiff's tax returns and other personal and confidential information. The court has reviewed the discovery responses, and found that they

contain Plaintiff's social security number and driver's license number, which should have been redacted in any filings with the court pursuant to Federal Rule of Civil Procedure 5.2.

Having reviewed the motion, as well as the docket, **IT IS THEREFORE ORDERED** that the Plaintiff's motion is **GRANTED** pursuant to L.U. Civ. R. 79. It is further ordered that the clerk shall seal the discovery responses, which were inadvertently filed as an Answer, located at [18] until further order of this Court.

SO ORDERED, this, the 31st day of March, 2017.

/s/ Jane M. Virden
UNITED STATES MAGISTRATE JUDGE